

Duchesne River Waterusers' Association
Meeting Held March 11, 1935

A meeting of the Duchesne River Waterusers' Association was held March 11, 1935 in the Town Hall, Duchesne, Utah, at 1 P.M. for the purpose of hearing the Commissioner's report last year and make arrangements for water commissioner for the coming year. Those present were: Mr. Jerman, representing the State Engineer's office; Mr. B. O. Colton, Jr., Water Commissioner for 1934; Mr. Paul F. Henderson, chairman Executive Committee; Elise Lott, Emil Muns and Frank Deft, members of Executive Committee; and representatives of the companies and individual filings as shown by the enclosed tabulation.

The meeting was called to order by Mr. Henderson, chairman Executive Committee.

Mr. Henderson explained to those present that a similar meeting was held a year ago relative to the same matters. At that time a commissioner was selected and the Executive Committee designated which was composed of Emil Muns representing lower Duchesne; Frank Deft representing upper Duchesne; Elise Lott representing lower Duchesne (southside); and Mr. Henderson representing the Government project interests. The Strawberry people did not send in a representative. Mr. Henderson was elected chairman of this committee and at a meeting held a month ago it was suggested that a meeting be held for all those interested to hear the report of the water commissioner and discuss problems for the coming irrigation season. Mr. Henderson stated that the Commissioner would give a brief resume of the expenses, water supply, etc., and if anyone cared to go into detail, a number of the reports were available as each company had been supplied with a copy. Mr. Henderson asked Mr. Colton to present his report.

Mr. Colton addressed as follows: "The matter of the operation of the Duchesne River is covered in a written report submitted to the State Engineer's office dealing with the handling of the waters of the Strawberry and tributaries of the Duchesne for the period of June 7 until the end of the irrigation season. As you now know, this is the first year that commissioner services have been asked for or provided for on the Duchesne River. Everything was new and it was a little difficult to handle. As the appointment was made somewhat late, it was difficult to get ready by the time the first calls were made for additional supplies on the lower ditches. The canals were largely without rating devices or headgates. The matter of water supply is covered quite completely in the report and would be best covered by reference to the report itself."

Mr. Colton stated that the duty schedules set forth for the Uintah Irrigation Project by the Office of Indian Affairs at Washington, "Rules and Regulations for the Operation and Maintenance of the Uintah Irrigation Project, Utah," were accepted by action of the committee at the first meeting he attended which was held June 9, 1934. Mr. Colton stated that the schedule was not applied in detail during the year as there was sufficient water to give every appropriator the full amount allowed by law; therefore, the water was distributed to all appropriators on an equal duty.

In connection with water rights, Mr. Colton suggested that all water users follow up their water rights in detail so that they might know what rights are legal rights. The point of diversion should be just as was applied for and designated by proof of beneficial use.

Water Supply: Mr. Colton quoted from report which showed an estimated delivery of 3.55 acre feet per acre for all appropriators.

Financial Statement: Mr. Colton explained that the financial statements were made in the State Engineer's office by the clerks there and was not as much in detail as he would give the meeting. Mr. Colton gave financial report as summarized in annual report.

Mr. Henderson turned a portion of the time to the discussion of the operation of the Buchanan River for the last year. He explained that when a thing was new it could not be operated so effectively as after some experience. Mr. Henderson stated that the Executive Committee had asked Mr. Humphries, State Engineer, to be present at the meeting but he was represented by Mr. Jarman.

Some of the water users present were not clearly informed as to the distribution of water to Indians lands, stating that water was going to waste on worthless Indian lands while the white people who had built the bridges, roads, schools, etc. had to let their places burn up.

Mr. Henderson explained that water was delivered only to cropped acreage. He continued as follows: "With reference to the Indian lands taking the water from the white people, I want to call your attention to the statement of Mr. Colton on duty for last year. No preferences were made as to priority, all water being distributed on the same duty."

Mr. Henderson called the attention of those present to the new water developments and suggested that the organization started last year should be continued. He stated that an organization was necessary to fall back on in the event of water shortage. Mr. Henderson then turned time to the discussion of operation for the coming year.

Mr. L. E. Garay began the discussion by stating that it was possible that this might be another short water year and he would like to see the work carried on so that each year it would be more in detail and the headgates should be gotten in shape so that when these drouth years do come, the commissioner might more easily divide the water in the rivers. He said he would like to see the organization continued intact. He encouraged the people to keep up their water rights as thousands of dollars were being lost each year because water rights were neglected.

One of the water users present stated that he would like to see a complete new survey made of irrigable lands and Mr. Henderson said that he was trying to get funds available for this purpose from P. W. A.

Mr. Hisslow brought up the question of excessive losses on the Strawberry River, especially seepage losses claiming that the water put on to the

lands in that district went right back to the river to be used on lands below and that no loss occurred so that they should be allowed all of the water which they wanted to use.

Mr. Jarman stated that complaints were received in the State Engineer's office, the main causes for complaints being the following:

1. Water taken from upper users to the preference of lower users.
2. The Executive Committee should take more active part in the distribution of the water.
3. The flow of the Strawberry River was not allowed to run into the Buchanan River.
4. Richmans got water in excess of rights by cutting upper users.

Mr. Henderson called the attention of the meeting to the fact that one of the largest losses was evaporation which was lost to low lands.

Mr. Lott stated that there was sufficient excess water in the basin if stored, to water all of the agricultural lands in the basin. (Quoted from report.)

Mr. Henderson stated that it would be impossible to take the water off from some tracts of land and put it on to another tract of land owing to the fact that water is appurtenant to one tract only; however, on some projects the land has been separated into three or four types of lands with the best water right to be used on the best lands. It is contemplated under the request for F.W.A. funds to get this sort of arrangement started on this project.

Mr. S. Y. Taylor of the Uintah Basin Construction Company continued the discussion by stating that last year he was not in favor of a water commissioner but after seeing the report and noticing the effectiveness of last year's work, he thought it the best money which had been spent in this country. He said that his company heartily endorsed Water Commissioner Colton and his report. Mr. Taylor stated that relative to water diverted to Salt Lake City from the Strawberry reservoir, that he had talked with Mr. Larsen of the Reclamation Service about Current Creek going into the reservoir and that there is a clause in the contract that the people in the basin have all the rights of priorities and usage will not give up any rights. The water to be diverted is to be over those in the basin. Salt Lake City's rights on the upper part of the river are only junior rights and can be diverted only in flood periods.

A water user seemed to think the water should be taken from pasture lands and put on cultivated lands. Mr. Henderson made the statement that the pasture lands were more valuable in some instances, particularly with dairy men, than cultivated lands. Mr. Case stated that in his country where cattle were raised that the pasture land was more valuable than the cultivated lands.

Mr. Williams, a water user, stated that he thought a petition should be circulated to be sent to the State Engineer's office for a survey to see if water is being used on proper lands and a reclassification of certificates be made in the State Engineer's office.

Mr. Lett stated that last year Mr. Colton and the ditchriders made an investigation to see what land under each ditch was in cultivation and the actual land under cultivation was the basis for assessment. Mr. Henderson stated that the Government lands drew water for only 50% of their proofed acreage.

Mr. Henderson called attention of the meeting to the fact that it was getting late and should get on with the appointment of water commissioner, stating that he had taken the matter up with the Executive Committee of the three northern rivers and it was satisfactory with that committee if the water users on the Snake River wished to continue the same arrangements as of last year.

Mr. Clarence Baum made a nomination to sustain the commissioner as of last year. Mr. Deft seconded the nomination.

Mr. Nelson stated that he thought a commissioner should be appointed from the Snake River side and nominated Mr. Austin G. Burton of Mt. Home. Mr. Wilson seconded this nomination.

Mr. Taylor reminded the people that Mr. Colton was commissioner for the northern rivers and that he was paid a salary by them and that expenses would be increased if a new man was put in for commissioner.

Mr. Horace Allard stated that Mr. Colton had been commissioner on the northern rivers for years and that much progress had been made in working out distribution problems on the river and that he felt it would be a mistake in not continuing Mr. Colton on the Snake River.

Mr. Nelson stated that he did not think there would be any increase in cost if Mr. Burton were elected commissioner.

Mr. Burton stated that he was a water user and he believed that the diversions on the Snake River could best be handled by the same setup as of last year.

Mr. Henderson called for votes. All but four individuals voted for Mr. Colton.

Mr. Henderson asked Mr. Jorssen of the State Engineer's office if it would be possible to operate under the same budget as of last year but pay the assessment in two installments; one during May and the other August. The purpose of this was that it is probable that the expense will not be as much as last year.

Mr. Jorssen stated that under statute, these assessments should be paid the first of May but they usually had enough money to operate on and they had not pressed too hard. He said that the assessment would go out in one notice with the understanding that one half was to be paid in May and the balance in August.

Mr. Rogers brought up the question of payment of assessments by those who had permanent carrying capacities in Government canals. Mr. Henderson answered that this was taken care of in their regular assessments. Mr. Henderson stated that the budget of last year amounted to \$1,525.00, and that the lands

were assessed at the rate of 6¢ per acre.

Mr. Linn Smith made a motion to limit the budget of this year to the budget of last year. Mr. Taylor seconded this motion. It was voted upon and carried unanimously.

Relative to the Executive Committee, Mr. Henderson explained that this year there should be a representative from the Moon Lake Water Users Association as they were represented in this organization by 6,000 acres. This would increase the committee to six members. The executive Committee last year consisted of a representative from lower Buchanan, lower Buchanan, southside; upper Buchanan, Government project interests; the Strawberry people did not send a representative.

Mr. Jansen suggested that they hear from the Strawberry people but there were no comments. Mr. Lott suggested that the Strawberry people go in with the town of Buchanan in selecting a representative.

Mr. Paulsen made a motion that an Executive Committee of six members be continued and that the Strawberry people go in with the town of Buchanan, motion being seconded by Mr. Deft. Voted upon and carried.

Mr. Henderson designated a few minutes in which to choose the representatives from the districts. The same committee as of last year will be continued together with Mr. Harass Alford representing Moon Lake Water Users Association and Ed Williams representing the Strawberry district.

The question arose as to whether or not the committee members were paid. Mr. Henderson stated that they were not compensated last year but he suggested mileage and perhaps pay this year. Mr. Case stated that he felt they were entitled to mileage and one days pay. Mr. Taylor suggested \$2 per mile and \$5.00 per day.

Mr. Harriek made the motion that the committee members be paid 6¢ per mile and \$5.00 per day when the committee met. Seconded by Mr. Case. Voted upon and carried.

Mr. Henderson then took up the question of delinquencies. He read the list of last year's delinquents from the report prepared by Mr. Galtan.

Mr. Jansen stated that according to statute water should be turned off first of May or court action should be brought.

Mr. Taylor made the motion that the question of what to do with the delinquents be decided upon by the Executive Committee. Seconded by Mr. Liddell, and passed unanimously.

Mr. Merrill made a motion that the people try to get available funds for reservoir construction. Mr. Baum seconded motion and it passed unanimously.

The meeting was then turned to general discussion and adjourned at 4 P.M.

Paul F. Henderson Chairman of Com.

COMPANIES AND INDIVIDUALS REPRESENTED AT
DUCHESNE RIVER WATER USERS
ASSOCIATION
March 11, 1935

Appropriator	No. Present	Acreage Cultivated Last Yr.
Government Project	1	9,064
J. P. Christensen	1	40 about
Duchesne Irrig. Co.	6	1,421
Midview Irrig. Co.	1	457
Rocky Point Ditch Co.	11	2,114
Jepperson & Madsen	1	261
T. A. White	1	118
McQueeney	1	90
Farmoreek Irrig. Co.	2	586
Rhoads, T. W.	1	218
Pioneer Canal Co.	6	686
L. W. Clark	1	128
F. J. Davis	2	106
George B. Wright	1	26
Roy Gillman	1	103
Frazer & Butters	1	110
Uintah Basin Constr. Co.	2	2,847
O. T. Hicken	1	228
G. Baril	1	40
Bremick & Spratt	1	131
H. A. Koffard	1	96
J. Gines	1	285
V. J. Meacham	1	77
T. J. Broadhead	1	78
O. Aske	1	41
Frank Defa	1	70
Lee Meacham	1	49
T. J. Broadhead	1	92
O. U. Wright	1	68
Joseph Shanks	1	80
W. W. Boyd	1	130
J. E. Rhoades	1	31
Lee Felter	1	107
Riverdell Canal Co.	2	212
J. McCourt	1	75
W. W. Strong	1	47
O. T. White	1	25
J. Rhoades	1	18
Frazer & Defa	1	128
E. A. Giles	1	36
Hartly & Murdock	1	163

Appropriator	No. Present	Acreage Cult. last Yr.
Moon Lake Water Users Association	6	6,000
B. Hamilton	1	21
O. A. Halstead	1	92
Hamilton Ditch Company	1	115
A. W. Clements	1	35
D. S. Murdock	1	no report
Red Creek Irrig. Co.	1	" "
A. M. Murdock	1	63
W. J. Williams	1	29
W. Paribanks	1	49
A. M. Murdock	1	54
J. E. Ivie	1	154
P. W. Rasmussen	1	76
McClarey & Perron	1	81
Mott & Dunn	1	123
Bates	1	43
	<u>86</u>	<u>27,544</u>

Note - Attention is called to the fact that the Moon Lake Water Users Association was represented this year and not last year owing to the fact that the Duchesne River Exchange Canal will be in operation this year for the first time.

The above list of those present at this meeting shows a representation of more than 80% of the cropped acreage under the Duchesne River.

